



GAUTENG PROVINCE
AGRICULTURE AND RURAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

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Canyon Resources (Pty) Ltd.
P.O. Box 2632
BENMORE
2132

Telephone No.: 011 783 7996

Dear Roelof Letter

GRANTING OF ENVIRONMENTAL AUTHORISATION FOR THE PROPOSED DEVELOPMENT AND OPERATION OF A COAL SIDING NEAR BRONKHORSTSPRUIT, CITY OF TSHWANE METROPOLITAN MUNICIPALITY

With reference to the above-mentioned application, please be advised that the Department has decided to grant Environmental Authorisation. The Environmental Authorisation and reasons for the decision are attached herewith as Annexure 1.

In terms of Regulation 4 (2) of the Environmental Impact Assessment Regulations, 2014, you are instructed to notify all registered interested and affected parties, in writing and within **fourteen (14) days** of the date of this letter, of the Department's decision in respect of your application.

Your attention is drawn to Chapter 2 of the National Appeal Regulations, 2014, which regulates the appeal process. Should you wish to appeal any aspect of the decision, you must within **twenty (20) days** of the date of notification of the decision, submit your appeal including supporting documents to the appeal administrator by any of the following means:

Postal Address:

The Appeals Administrator
Department of Agriculture and Rural Development
P.O. Box 8769
Johannesburg
2000

Physical Address:

The Appeals Administrator
Department of Agriculture and Rural Development
56 Eloff Street
Umnotho Building, 23rd Floor
Johannesburg
2000


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Fax No: 011 240 3158/2700

Email Address: appeals@gauteng.gov.za

Your appeal must be submitted in the prescribed appeal form obtainable from the appeal administrator, Ms. Tsholofelo Mere at telephone number 011 240 3204 or email address Tsholofelo.mere@gauteng.gov.za. The appeal form is also available from our website: www.gdard.gpg.gov.za. Should you have queries or require additional information regarding the appeal process, you can contact the appeal administrator on any of the mentioned contact details.

Yours faithfully



**MS. THANDEKA MBASSA
HEAD OF DEPARTMENT**

DATE: 06/06/17

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Environmental Authorisation

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Reference Number: Gaut 002/16-17/E0138

Holder of authorisation: Canyon Resources (Pty) Ltd.

Location of activity: Approximately 1 km North of
Bronkhorstspuit

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1. Decision

The Department is satisfied, on the basis of information available and subject to compliance with the conditions of this environmental authorisation, that the applicant should be authorised to undertake the activity specified below:

2. Activities Authorised

By virtue of the powers conferred by the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended) and the Environmental Impact Assessment Regulations, 2014, the Department hereby, subject to compliance with conditions herein, authorises **Canyon Resources (Pty) Ltd.** with the following contact details –

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to undertake the Development and Operation of a Coal Siding located approximately 1km North of Bronkhorstspuit listed as Activities 19, 56 listed under Listing Notice 1 of GN. R983 and Activities 4, 12 and 14 listed under Listing Notice 3 of GN. R985 of the Environmental Impact Assessment Regulations, 2014. The site for the proposed development activities falls within the jurisdiction of the City of Tshwane Metropolitan Municipality.

The granting of this Environmental Authorisation is subject to the conditions set out below.

3. Specific Conditions

- a) The preferred proposal is located a few hundred meters from the town of Bronkhorstspuit to the south, Godrich Flour Mill and Silo to the north and township to the north-west. Based on this, the applicant must establish an **Environmental Management Liaison Committee (EMLC)** with the municipality, residents' representatives, Silo and Godrich Flour Company in order to mitigate the potential impacts of the activity on the milling activities. Details of the **EMLC** must be submitted to GDARD for liaison during construction and operation of the coal siding facility.
- b) The above committee must develop a management plan that would be agreed upon by all parties directly affected by the activity.
- c) The Departmental C-Plan Version 3.3 identifies the site as having or being an Irreplaceable Area, Primary Vegetation, Red Listed Plant, River, Mammal, Wetland and Red Listed Bird. **No development is allowed on these sensitive areas especially on the area south of the railway line/s.**
- d) The proposed coal loading facility may result in exacerbated levels of pollution originating from storm water runoff, dust from coal particles blown by wind from stockpiles and vehicle movement. **In this regard, a comprehensive, site specific dust and storm water management plan must be developed and submitted to local municipality for approval and to this Department comments.**
- e) The gravel road to and from the coal siding area must be tarred to mitigate against dust pollution.
- f) Further, the proposed coal siding must be restricted to operate within the existing Bronkhorstspuit Rail Infrastructure to the immediate north of the site with no development allowed south of the railway line.
- g) The wetland delineation plan shows that the southern side (immediately from the railway line) is affected by a **30m buffer zone** of the wetland and as such, strictly no development is allowed within the entire wetland area.
- h) A **properly signed lease agreement** that shows details of the signing party between the Transnet and the applicant with regard to the coal siding within the existing Bronkhorstspuit Rail Siding must be submitted as the one submitted with the report is inadequate.

- i) The applicant / developer must design a Pollution Control Dam linked with the storm water management plan. The dam must be designed in such a way that it accommodates overflows resulting from high rainfall situations to protect the Bronkhorstspruit downstream.
- j) **Water quality monitoring** points must be put in place, first, at the two boreholes identified adjacent the coal siding area and secondly, drill another one outside the 32m buffer zone of the Bronkhorstspruit River catchment east of the site.
- k) A **Quarterly Environmental Audit Report** must be submitted to all **EMLC** for their comments and ultimately to GDARD for evaluation, monitoring and approval.
- l) A **final layout plan (Note, this is strictly required)** showing an exact position of the coal siding must be submitted to the Department prior to commencement of the activity so that the final siding are confirmed and approved.
- m) A **spill contingency plan** must be compiled in the event of a spillage of chemicals, fuel or other hazardous substances during the construction phase. The coal storage area must be designed in such a way that industry proven liners are used to prevent leakage and seepage of contaminated water into the ground.

4. Management of the Activity

- a) The Environmental Management Programme ("EMPr") submitted as part of the Final Basic Assessment Report received by this Department on 16 November 2016 must be amended and submitted to GDARD in order to comply with the changes imposed by this authorisation.
- b) Compliance with the EMPr once approved, is considered an extension to the conditions of this authorisation.
- c) The contents of the EMPr and its objectives must be made known to all contractors, subcontractors, agents and other people working on the site including **EMLC** members.
- d) An **Environmental Control Officer (ECO)** must be appointed/ designated to ensure that regular inspections are performed during the construction phase to ensure the implementation of mitigation measures. Furthermore, an ECO must monitor the applicant's compliance with all the conditions of this Environmental Authorisation. The ECO must provide a project completion report to this department prior to operational phase of the project taking place.

5. Site Closure and Decommissioning

- a) On completion of the project, all construction rubble or spoils must either be used to fill the trenches or removed from the site immediately. No rubble and debris must be buried or hidden on or near the site after project completion.
- b) All waste must be disposed off at a registered waste disposal site for the type of waste produced.

6. General Conditions

- a) Conditions of this Environmental Authorisation are binding on the holder of the Environmental Authorisation, including any person acting on his or her behalf, including but not limited to, an agent, sub-contractor, employee or person rendering a service to the holder of the Environmental Authorisation.
- b) The activity which is authorised may only be carried out at the properties indicated above.
- c) Any changes to, or deviations from, the activities description set out in this Environmental Authorisation must be approved, in writing, by the Department before such changes or deviations may be effected. In assessing whether to grant such approval or not, the Department may request such information as it deems necessary to evaluate the significance and impacts of such changes or deviations and it is necessary for the holder of the authorisation to apply for further Authorisation in terms of the Regulations.
- d) This activity must commence within a period of **ten (10) years** from the date of issue. If commencement of the activity does not occur within that period, the Authorisation lapses and a new application for Environmental Authorisation must be made in order for the activity to be undertaken.

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- e) This Environmental Authorisation does not negate the holder of the authorisation's responsibility to comply with any other statutory requirements that may be applicable to the undertaking of the activity.
- f) A copy of this Environmental Authorisation must be kept at the property where the activity will be undertaken. The Environmental Authorisation must be produced to any authorised official of the Department who requests to see it and must be made available for inspection by any employee or agent of the holder of the Authorisation who works or undertakes work on the site.
- g) Where any of the applicant's contact details changes, including the physical or postal address and/ or telephonic details, the applicant must apply to the Department as soon as the new details become known to the applicant.
- h) Non-compliance with a condition of this authorisation will result in criminal prosecution or other actions provided for in the National Environmental Management Act, 1998 (as amended) and the regulations.

Date of Environmental Authorisation: 06/06/17

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Annexure 1: Reasons for Decision

1. Background

The applicant, **Canyon Resources (Pty) Ltd.** applied for Environmental Authorisation for the proposed Development and Operation of a Coal Siding located approximately 1km North of Bronkhorstspuit. The site for the proposed activity falls within the jurisdiction of City of Tshwane Metropolitan Municipality.

The applicant appointed **Zantow Environmental Consulting Services** to undertake a Basic Assessment process and to comply with all the requirements as outlined in the EIA Regulations.

2. Information considered in making the decision

In reaching its decision, the Department took, inter alia, the following into consideration:

- a) The information contained in the Basic Assessment Report (BAR) submitted by Zantow Environmental Consulting Services and received by the Department on 16 February 2017.
- b) Specialist studies attached to the BAR that include:
 - Baseline Hydrogeological Study dated August 2016 prepared by Geo Pollution Technologies- Gauteng (Pty) Ltd.
 - Biodiversity Assessment dated June 2016 compiled by Galago Environmental Biodiversity and Aquatic Specialists.
 - Wetland Delineation and Impact Assessment Report dated September 2016 undertaken by Sivest (Pty) Ltd.
 - Archaeological Impact Assessment dated August 2016 prepared by Heritage Contracts and Archaeological Consulting CC (HCAC).
 - Environmental Noise Impact Assessment dated August 2016 conducted by dBAcoustics dated August 2016.
 - Desktop Paleontological Heritage Impact Assessment dated July 2016 compiled by BM Geological Services.
 - Avifaunal Habitat Assessment.
 - Integrated Water and Waste Management Plan.
 - Flora Assessment dated June 2016.
 - Herpetofaunal Habitat Assessment.
 - Traffic Impact Assessment.
 - Risk Assessment of Coal Stockpiles.
 - Air Quality Report.
- c) Information contained in the Departmental information base, including Geographic Information System and Gauteng Conservation Plan Version 3.3.
- d) The objectives and requirements of relevant legislation, policies and guidelines, including section 2 of the National Environmental Management Act, 1998 (Act No. 107 of 1998) (as amended).
- e) The findings of the site inspection undertaken by Dolly Sebatana, Dan Motaung and Trisha Pillay on 22 March 2017.

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3. Key factors considered in making the decision

All information presented to the Department was taken into account in the Department's consideration of the application. A summary of the issues which, in the Department's view, were of the most significance is set out below.

- a) Location and compatibility of the proposed activity with the structures located adjacent to the proposed site.
- b) Environmental attributes of the site.
- c) Public Participation Process.

4. Findings

After consideration of the information and factors listed above, the Department made the following findings –

- a) The preferred proposal is located a few hundred meters from the town of Bronkhorstspuit to the south, Godrich Flour Mill and Silo to the north and township to the north-west. A restriction is recommended not to implement coal siding to the southern portion of the site.
- b) The Departmental C-Plan Version 3.3 identifies the site as an Irreplaceable Area, Primary Vegetation, Red Listed Plant, River, Mammal, Wetland and Red Listed Bird. However, a condition has been made above under specific conditions that some of the surface water resources that are not identified in the Wetland Delineation Assessment must be identified in the final layout plan with the exact portion for the coal siding.
- c) The applicant must resolve the issues and concerns raised by Interested and Affected Parties prior to implementation of the coal siding through the Environmental Management Liaison Committee.

In view of the above, the Department is satisfied that, subject to compliance with the conditions contained in the Environmental Authorisation, the proposed activity will not conflict with the general objectives of integrated environmental management laid down in Chapter 5 of the National Environmental Management Act, 1998 and that any potentially detrimental environmental impacts resulting from the proposed activity can be mitigated to acceptable levels. The Environmental Authorisation **is accordingly granted.**

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